

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/5/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v-

DASHAWN HAWKINS,

Defendant.

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GREGORY H. WOODS, United States District Judge:

1:16-cr-691-GHW
1:19-cv-00867-GHW-SLC

ORDER

On January 28, 2019, Defendant Dashawn Hawkins filed a petition to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Dkt. No. 76.¹ On April 20, 2021, Magistrate Judge Cave issued a Report and Recommendation recommending that Mr. Hawkins's petition, and his related request for an evidentiary hearing, be denied. Dkt. No. 111. Objections to the Report and Recommendation were due August 4, 2021. *See* Dkt. Nos. 111-12. The Court did not receive any objections.


The Court has reviewed the Report and Recommendation for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a “district court may adopt those portions of a report and recommendation to which no objections have been made, as long as no clear error is apparent from the face of the record.”). The Court therefore accepts and adopts the Report and Recommendation in its entirety. Accordingly, Defendant's petition to vacate, set aside, or correct his sentence is DENIED.

¹ All citations to the docket refer to the criminal case, 1: 16-cr-691-GHW.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 76 and to close Case Nos. 1: 16-cr-691-GHW and 1:19-cv-00867-GHW-SLC. The Clerk of Court is further directed to mail a copy of this order and the Report and Recommendation at Dkt. No. 111 to Mr. Hawkins.

SO ORDERED.

Dated: August 5, 2021
New York, New York



GREGORY H. WOODS
United States District Judge